

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PZIFER INC., ET AL.,

Plaintiffs,

-against-

MATHEW I. GELFAND,

Defendant.
-----X

1:08-cv-02018-LAK

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**CONSENT MOTION OR
EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO
PLAINTIFFS' MOTION TO
DISMISS DEFENDANT'S
COUNTERCLAIMS**

Defendant, Mathew I. Gelfand, by and through his undersigned counsel, hereby respectfully, and with the consent of Plaintiffs, moves this Court pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure to extend time from June 2, 2008, through and including June 12, 2008, for Defendant to file and serve his response to Plaintiffs' Motion to Dismiss Defendant's Counterclaims, and states as follows:

1. On May 16, 2008, Plaintiffs filed a Motion to Dismiss Defendant's Counterclaims.

2. Pursuant to the Local Rules of this Court, a response to the motion is to be filed on or before June 2, 2008. Due in material part to Defendant's counsel's calendar since May 16, 2008, compounded by the absence of Defendant's counsel's sole paralegal since May 23, 2008, Defendant is unable to file a response to the motion on or before June 2, 2008.

3. Plaintiffs consent to the extension sought herein.

4. The rescheduling hereby requested will not adversely affect the balance of this case.

WHEREFORE, Defendant respectfully request that the Court extend the time from June 2, 2008, to and including June 12, 2008, for Defendant to file and serve a response to Plaintiff's Motion to Dismiss Defendant's Counterclaims.

Dated: June 2, 2008
Bethesda, Maryland

Respectfully Submitted,

THE ROTBERT LAW GROUP, LLC

/s/ Mitchell J. Rotbert
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Attorney for Plaintiff
Mathew I. Gelfand, M.D.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 2nd day of June 2008, I caused a copy of the foregoing **CONSENT MOTION OR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO PLAINTIFFS' MOTION TO DISMISS DEFENDANT'S COUNTERCLAIMS** to be delivered via ECF filing and by United States Mail, postage prepaid, to:

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/s/ Mitchell J. Rotbert
Mitchell J. Rotbert

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PROPOSED ORDER

UPON CONSIDERATION of the Consent Motion of Extension of Time for Defendant to Respond to Plaintiffs' Motion to Dismiss Defendant's Counterclaims, and for good cause shown.

IT IS HEREBY ORDERED, that the Consent Motion for Extension of Time is GRANTED; and

IT IS FURTHER ORDERED, that Defendant, Mathew I. Gelfand, shall file his Response to Plaintiffs' Motion to Dismiss Defendant's Counterclaims on or before June 12, 2008.

SO ORDERED.

Lewis A. Kaplan
United States District Judge

Copies via electronic filing to:

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Jeffrey B. Bove, Esq.

Mary W. Bourke, Esq.

Rudolf E. Hutz, Esq.

William E. McShane, Esq.